

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JUNE 28, 2010**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:00 p.m. on Monday, June 28, 2010, with President Vaughn presiding.

Councillor Cockrum led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

President Cockrum instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

27 PRESENT: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Rivera, Sanders, Scales, Speedy, Vaughn
2 ABSENT: Coleman, Minton McNeill

A quorum of twenty-seven members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor McQuillen recognized his mother Betty in attendance. Councillor Oliver recognized Pastor Ronald Covington, David Sims, and Bishop Frenell. Councillor Sanders stated that Councillor Minton-McNeill's father passed away, and that is why she is not in attendance this evening.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE
COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND
MARION COUNTY, INDIANA

Journal of the City-County Council

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, June 28, 2010, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Ryan Vaughn
President, City-County Council

June 14, 2010

TO PRESIDENT COCKRUM AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Wednesday, June 16, 2010 a copy of a Notice of Public Hearing on Proposal Nos. 168, 171 and 172, 2010, said hearing to be held on Monday, June 28, 2010, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Melissa Thompson
Clerk of the City-County Council

June 23, 2010

TO PRESIDENT COCKRUM AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Monday, June 28, 2010 a copy of Legal Notice of General Ordinance No. 25, 2010.

Respectfully,
s/Melissa Thompson
Clerk of the City-County Council

June 18, 2010

TO PRESIDENT COCKRUM AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Melissa Thompson, the following ordinances:

GENERAL ORDINANCE NO. 25, 2010 – amends the Code to add and amend various chapters related to license and permit fees to be collected by the department of code enforcement pursuant to a cost analysis study determining the cost of the services underlying these fees to the department

GENERAL RESOLUTION NO. 12, 2010 – approves certain public purpose grants totaling \$1,000,000 for the support of the arts

SPECIAL RESOLUTION NO. 27, 2010 – recognizes the Summer Learning and Leadership camp at Indianapolis Public School No. 51

SPECIAL RESOLUTION NO. 28, 2010 – recognizes Rick Alvis for twenty years of service to Wheeler Mission Ministries and the City of Indianapolis

SPECIAL RESOLUTION NO. 29, 2010 – recognizes Binford Redevelopment and Growth (BRAG), Inc.

SPECIAL RESOLUTION NO. 30, 2010 - recognizes Matthew Weaver on obtaining the rank of Eagle Scout

SPECIAL RESOLUTION NO. 31, 2010 - recognizes Cole Crouch on obtaining the rank of Eagle Scout

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SPECIAL RESOLUTION NO. 32, 2010 - recognizes Jim Nulty and his work with Very Special Arts of Indiana (VSAI)

Respectfully,
s/Gregory A. Ballard, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Gray moved, seconded by Councillor Bateman, to add Proposal No. 153, 2010, which is under Pending Proposals, under Final Adoption for action this evening. The motion carried by a unanimous voice vote. President Vaughn stated that Proposal No. 153, 2010 will be added as the last item under Final Adoption.

Without further objection, the agenda was adopted as amended.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of June 7, 2010. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 198, 2010. The proposal, sponsored by Councillors Minton-McNeill and Evans, recognizes Pastor Ronald Covington, Sr. of Friendship Missionary Baptist Church for 15 years of service. In Councillor Minton-McNeill's absence, Councillor Bateman read the proposal and presented Pastor Covington with a copy of the document and a Council pin. Pastor Covington thanked the Council for the recognition. Councillor Bateman moved, seconded by Councillor Evans, for adoption. Proposal No. 198, 2010 was adopted by a unanimous voice vote.

Proposal No. 198, 2010 was retitled SPECIAL RESOLUTION NO. 33, 2010, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 2010

A SPECIAL RESOLUTION recognizing Pastor Ronald Covington, Sr. of Friendship Missionary Baptist Church for 15 years of service.

WHEREAS, Reverend Ronald Covington, Sr. is the youngest of five children born to Aline Covington in Chicago, Illinois on May 20, 1953. He moved to Indianapolis, Indiana in 1957 and attended IPS Schools No. 52 and George Washington High School; and

WHEREAS, Pastor Covington is a devoted husband to Kim Covington; a supportive father to his four children: Ronald, Jr., Richard, Sr., Rhea and Cameron; and a loving grandfather to his three grandchildren: Ronald, III, Mariah, and Richard, Jr.; and

WHEREAS, Reverend Covington became Assistant Pastor of Friendship Missionary Baptist Church in 1978, and was called as Pastor in 1995. He has a passion for serving not only his church members, but other churches and organizations, as well as the citizens of Indianapolis; and

WHEREAS, under his leadership, Friendship has been a blessing to the Haughville community and other areas in the surrounding city and state with venues such as Friendship Westside Charities, which has hosted a plethora of community educational programs, has been a starting point for many churches, and is now a home for one of Marion County's Head Start Programs; and

WHEREAS, Pastor Covington led the church to its current location in 1998, which continued the legacy of service to the community, with the start of the Friendship Christian Academy and Childcare, the establishment of the Arthur Johnson Scholarship Fund, and the inception of the Friendship Westside Center 4 Excellence (the former Atkins Boys and Girls Club), where many services are provided to the community, such as before and after care; youth sports; youth summer camp; facility rental; and computer and educational programs for youth, as well as adults; and

WHEREAS, Pastor Covington has also served with many community, state and national organizations. In previous years, he has served with the Haughville Community Council and was President of the Westside Cooperative Organization (WESCO), and he currently serves as Moderator of the Union District Association, Vice President At Large of the General Missionary Baptist State Convention of Indiana, Inc., and is affiliated with the Ministers Alliance of Indiana; and

WHEREAS, Pastor Covington authored a book entitled "From the Pastor's Heart", a devotional that began as emails sent to family, friends and members of his congregation inspired by his love and concern for others; and

WHEREAS, Reverend Covington is known for his very humble, kind, generous and giving personality, as well as his comical sense of humor. He is willing to lend a helping hand to any and all in need, no matter the time or place, and is always faithful and just in all he does; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Pastor Ronald Covington, Sr. for 15 years of unwavering service to the Friendship Missionary Baptist Church family and the Haughville area.

SECTION 2. The Council commends Pastor Covington for his dedication and faithfulness in helping to improve the quality of life for all citizens of Indianapolis, Marion County.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 199, 2010. The proposal, sponsored by Councillor Scales, recognizes Carolyn Lausch for 50 years of service and contributions to the teaching profession. Councillor Scales read the proposal and presented Ms. Lausch with a copy of the document and a Council pin. Ms. Lausch thanked the Council for the recognition. Councillor Scales moved, seconded by Councillor McHenry, for adoption. Proposal No. 199, 2010 was adopted by a unanimous voice vote.

Proposal No. 199, 2010 was retitled SPECIAL RESOLUTION NO. 34, 2010, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 34, 2010

A SPECIAL RESOLUTION recognizing Carolyn Lausch.

WHEREAS, Carolyn Lausch received her Bachelors degree from the University of Indianapolis and her Masters in English from Butler University in Indianapolis, Indiana; and

WHEREAS, Ms. Lausch is an educator with experience in public, parochial, private/faith-based and independent schools, with 26 years in Jesuit secondary education and nine years in an independent Episcopal day school; and

WHEREAS, Ms. Lausch was often selected by current students as their "favorite" and by past students as the one teacher in their classroom experience who most inspired them. She always set the highest standards of excellence for her students, and through her teaching, could encourage and stimulate the most gifted and talented, as well as the average or underachieving student to perform at their highest level; and

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WHEREAS, Ms. Lausch captured and held students' interests in the most challenging literature whether Shakespeare or more modern prose and poetry in her role as an English teacher; and

WHEREAS, while instructing students in the form and function of writing skills, Ms. Lausch would shepherd each student's individual thought processes to allow for their creative expression when producing the written word, and many of her graduates decided to seek professional writing careers; and

WHEREAS, in addition to teaching, Ms. Lausch lent her intellect and organizational skills to serve in administrative capacities at the schools in which she taught. She served as academic dean and director of St. Richard's Middle School and as English department chair and assistant principal for Academics at Brebeuf High School; and

WHEREAS, additionally, Ms. Lausch served in many other capacities, such as holding offices and serving memberships on a variety of professional and community-based boards, councils, and associations; and

WHEREAS, Ms. Lausch's career highlights include, Japan Fulbright Memorial Scholar, English Speaking Union Scholar at Oxford University, and author of over a dozen academic articles published in distinguished education and literary journals; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Carolyn Lausch for 50 years of service and contributions to the teaching profession.

SECTION 2. The Council congratulates Ms. Lausch on her many accomplishments and wishes her continued success with all future endeavors during her retirement.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 147, 2010. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 147, 2010 on June 8, 2010. The proposal, sponsored by Councillors Scales and Nytes, approves the Mayor's appointment of Manuel Mendez as the Director of the Office of Audit and Performance. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Pfisterer moved, seconded by Councillor Scales, for adoption. Proposal No. 147, 2010 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Rivera, Sanders, Scales, Speedy, Vaughn

0 NAYS:

2 ABSENT: Coleman, Minton McNeill

Proposal No. 147, 2010 was retitled COUNCIL RESOLUTION NO. 54, 2010, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 2010

A COUNCIL RESOLUTION approving the Mayor's appointment of Manuel Mendez as the Director of the Office of Audit and Performance until such time as a successor is appointed and confirmed.

WHEREAS, pursuant to Section 202-302 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Office of Audit and Performance is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Manuel Mendez to serve as Director of the Office of Audit and Performance at his pleasure and until such time as a successor is appointed and confirmed; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Manuel Mendez is approved and confirmed by the City-County Council to serve as the Director of the Office of Audit and Performance until such time as a successor is appointed and confirmed.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 184, 2010. Introduced by Councillor Nytes. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of limited recourse notes of the Redevelopment District in an aggregate principal amount not to exceed \$5,945,928 and approves the issuance of bonds for the purpose of repaying the notes to be repaid by tax increment in the Consolidated Fall Creek Allocation Area and the Fall Creek/Citizens Consolidated HOTIF East Allocation Area"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 185, 2010. Introduced by Councillor Day. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the issuance of limited recourse notes of the Redevelopment District in an aggregate principal amount not to exceed \$2,500,000 and approves the issuance of bonds for the purpose of repaying the notes to be repaid by tax increment in the Barrington HOTIF Allocation Area "; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 186, 2010. Introduced by Councillor Evans. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of OWL Georgetown Road, LLC and MTP Georgetown Road, LLC, applicants for tax abatement for property located in an Economic Revitalization Area"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 187, 2010. Introduced by Councillors Cardwell and Scales. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of CSO Architects, Inc, an applicant for tax abatement for property located in an Economic Revitalization Area"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 188, 2010. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$3,600,000 in the 2010 Budget of the Department of Metropolitan Development (Redevelopment General Fund) to fund the implementation of strategies designed to accelerate economic growth in the Downtown Indianapolis Tech Park district"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 189, 2010. Introduced by Councillor Cardwell. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$5,300,000 in the 2010 Budget of the Department of Metropolitan Development (Redevelopment General Fund) to fund the implementation of marketing strategies designed to increase leisure travel to Indianapolis to

Indianapolis and to increase the quality and quantity of conventions in the city, financed by a local grant."; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 190, 2010. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which re-establishes the Cumulative Firefighting Building and Equipment Fund for the Fire Special Service District of Indianapolis and provides for the continuation of the tax rate for said fund to be used for firefighting capital expenditures "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 191, 2010. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a weight limit restriction on Flynn Road from Ameriplex Parkway to Raceway Road (District 22)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 192, 2010. Introduced by Councillor Scales. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on Meadows Parkway on the south side from Meadows Drive to a point 275 feet northwest of Meadows Drive (District 4)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 193, 2010. Introduced by Councillor Freeman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls in the Moeller Estates at Wildwood Farms subdivision, section eight (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 194, 2010. Introduced by Councillor Freeman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls in the Princeton Lakes subdivision, sections one and two (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 195, 2010. Introduced by Councillor Freeman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls in the Hanover North subdivision, sections two and four (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 196, 2010. Introduced by Councillor Evans. The Clerk read the proposal entitled: "A Proposal for a General Resolution which urges the State of Arizona to repeal SB 1070, that no other state enact similar law, that the U.S. Congress consider and act expeditiously to enact comprehensive immigration reform, and that the City and County neither hold nor attend official meetings in the State of Arizona, nor enter into any new contract for goods or services with vendors situated in Arizona until the new Arizona immigration law is repealed"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 197, 2010. Introduced by Councillor Speedy. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which approve and authorize the execution of asset purchase agreements to provide for the transfer of the water system and the wastewater system of the City of Indianapolis, Indiana and amending the Revised Code to create the utility monitoring fund"; and the President referred it to the Utility Transfer Oversight Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 200-202, 2010, PROPOSAL NO. 203, 2010 and PROPOSAL NOS. 204-209, 2010. Introduced by Councillor McHenry. Proposal Nos. 200-202, 2010, Proposal No. 203, 2010 and Proposal Nos. 204-209, 2010 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on June 4 and 17, 2010. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 46-55, 2010, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 46, 2010.

2009-ZON-073

5935 AND 6015 WEST 56th STREET (Approximate Address)

INDIANAPOLIS, PIKE TOWNSHIP

COUNCIL DISTRICT # 7

NU CORINTHIAN BAPTIST CHURCH requests Rezoning of 10.33 acres, from the D-A and SU-1 Districts, to the SU-1 classification to provide for religious uses, specifically multi-family dwellings for senior citizens.

REZONING ORDINANCE NO. 47, 2010.

2010-ZON-030

402 DORMAN STREET (Approximate Addresses)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCIL DISTRICT # 16

RAT REALTY, LLC, by David Kingen, requests Rezoning of 0.55 acre, from the D-8 (FW) (FF) and C-2 (FW) (FF) Districts, to the C-S (FW) (FF) classification to provide for C-1 offices uses, a micro-brewery and a brew-tasting facility, with an outdoor seating area.

REZONING ORDINANCE NO. 48, 2010.

2010-CZN-804

23 NORTH RURAL STREET (Approximate Addresses)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCIL DISTRICT # 16

ENGLEWOOD COMMUNITY DEVELOPMENT CORPORATION, by David Price requests Rezoning of 1.38 acres from the D-5 District to the C-3C classification to provide for commercial uses and 25 multi-family units.

REZONING ORDINANCE NO. 49, 2010.

2010-ZON-027

2860 NORTH TALBOTT STREET, 2301 NORTH OLNEY STREET, 441 SOUTH LASALLE STREET, 7310 FISHBACK ROAD, 702 NORTH BELLEVIEW PLACE, 750 OLIN AVENUE, 11100-11300 PROSPECT AVENUE, 2302 NORTH DEQUINCY STREET, 1131 NORTH TRAUB AVENUE, 7201 CRITTENDEN AVENUE, 8605 MANN ROAD, 4500 WEST VERMONT STREET, 4629 WEST VERMONT STREET, 11850 BROOKVILLE ROAD AND 10751 BROOKVILLE ROAD (Approximate Address)

INDIANAPOLIS, CENTER, DECATUR, PERRY, PIKE, WARREN, WASHINGTON AND WAYNE TOWNSHIPS, CCD # 1, 3, 10, 14, 15, 16, 21 AND 22

METROPOLITAN DEVELOPMENT COMMISSION, by David Hirschle, requests Rezoning of 355.42 acres, from the D-A, D-A (FF), D-A (FF) (FW), D-2 (FF), D-3 (FW), D-4 (FF), D-5, D-5 (RC), D-5 (RC) (W-1), C-1 (RC), SU-2, SU-9 (W-5), PK-1, PK-1 (FF), PK-1 (FF) (FW), PK-1 (FW), PK-1 (W-5), I-3-U, I-3-U (FF), I-4-U, I-4-U (FF) (FW), I-4-U (FW) Districts, to the PK-1, PK-1 (FF), PK-1 (FF) (FW), PK-1 (FW), PK-1 (RC), PK-1 (W-1), PK-1 (W-5) classifications to provide for park uses.

REZONING ORDINANCE NO. 50, 2010.

2010-ZON-011

5610 SOUTH MERIDIAN STREET (Approximate Address)

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INDIANAPOLIS, PERRY TOWNSHIP
COUNCIL DISTRICT # 23

CHIN EVANGELICAL BAPTIST CHURCH, INC, by Andi M. Metzel, requests REZONING of 5.61 acres, from the D-3 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 51, 2010.
2010-ZON-018

114, 118 & 122 WEST ARIZONA STREET (Approximate Address)
INDIANAPOLIS, CENTER TOWNSHIP
COUNCIL DISTRICT # 19

SN & ASSOCIATES, LLC by David Kingen, requests REZONING of 0.30 acre, from the D-5 District, to the I-3-U classification to provide for medium industrial uses.

REZONING ORDINANCE NO. 52, 2010.
2010-ZON-026

901 FORT WAYNE AVENUE (Approximate Address)
Prop No. 206, 2010 INDIANAPOLIS, CENTER TOWNSHIP
COUNCIL DISTRICT # 9

LUGAR LP, by Jesse Fisher, requests Rezoning of four acres from the C-S (RC) District to the CBD-S (RC) classification to provide for multi-family residential development.

REZONING ORDINANCE NO. 53, 2010.
2010-ZON-037

5944 NORTH KEYSTONE AVENUE (Approximate Address)
INDIANAPOLIS, WASHINGTON TOWNSHIP
COUNCIL DISTRICT # 3

DM PROPERTY MANAGEMENT INC., by Joseph D. Calderon, requests Rezoning of 0.29 acre, from the D-3 District, to the C-1 classification to provide for office-buffer uses.

REZONING ORDINANCE NO. 54, 2010.
2010-ZON-039

808 SOUTH NOBLE STREET (Approximate Address)
INDIANAPOLIS, CENTER TOWNSHIP
COUNCIL DISTRICT # 19

810 S. NOBLE STREET, LLC, by Barbara Brunk, requests Rezoning of 0.10 acre, from the I-3-U (RC) District, to the D-8 (RC) classification to provide for residential uses.

REZONING ORDINANCE NO. 55, 2010.
2010-CZN-809

6923 BROOKVILLE ROAD (Approximate Address)
INDIANAPOLIS, WARREN TOWNSHIP
COUNCIL DISTRICT # 21

ABC Employment Holdings, LLC, by Robert Hill, requests Rezoning of 1.24 acres, from the D-A District, to the I-1-S classification to provide for light industrial uses.

SPECIAL ORDERS - PUBLIC HEARING

President Vaughn stated that he will abstain from voting on Proposal No. 168, 2010 to avoid the appearance of a conflict of interest, and passed the gavel to Vice President Pfisterer.

PROPOSAL NO. 168, 2010. Vice President Pfisterer reported that the Administration and Finance Committee heard Proposal No. 168, 2010 on June 8, 2010. The proposal, sponsored by Councillor Pfisterer, appropriates \$7,950,000 in the 2010 Budget of the Information Services Agency (Information Services Internal Services Fund) to fund the purchase of software and implementation costs pertaining to the Enterprise Resource Planning (ERP) project, funded by a transfer of unencumbered, unappropriated fund balance from the Consolidated County Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Nytes said that recently there were references in the Indianapolis Business Journal regarding the financial health of one of the companies chosen to assist in this process, and she asked if there is any assurance that the advisors have examined the financials of this company and has confidence in their ability to see this project through. Councillor Pfisterer said that she has been assured that they are capable of handling this project. David Reynolds, City Controller, stated that this was thoroughly discussed during the request for proposals (RFP) process. The company had to present financial documents to the team reviewing the RFPs, and the team feels comfortable with the ability of this company to fulfill their obligations. He said that while the implementor is a company out of New York, this particular vendor has a centrally located office, and if there are financial problems with the parent company, the local presence will help to insure quality work. He said that having a local company also reduces travel time and lodging costs, and uses a local talent pool.

Councillor Sanders said that she also has concerns about this company and asked why Councillors were not notified or why this was not brought up during the committee hearing, instead of having the Council blind-sided by reports in the media. Mr. Reynolds said that they did not bring it up because the team does not feel it is an issue.

Councillor Brown asked why President Vaughn is abstaining. President Vaughn stated that some of the companies that are subcontracted for this project are represented by the law firm for which he works.

The Vice President called for public testimony at 7:40 p.m.

Larry Vaughn, citizen, stated that this is a defunct company coming in from New York with no respect for the people in this city. The Council would not be wise to allow a failing corporation to come in and take \$7 million of the city's money, put it in their coffers for two years, and then file bankruptcy. He said that he questions the education and integrity of those elected to serve if they vote for this proposal.

There being no further testimony, Councillor McQuillen moved, seconded by Councillor Malone, for adoption. Proposal No. 168, 2010 was adopted on the following roll call vote; viz:

15 YEAS: Cain, Cardwell, Cockrum, Day, Freeman, Hunter, Lutz, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Pfisterer, Rivera, Speedy

11 NAYS: Bateman, Brown, Evans, Gray, Lewis, MahernB, MahernD, Mansfield, Oliver, Sanders, Scales

1 NOT VOTING: Vaughn

2 ABSENT: Coleman, Minton McNeill

Councillor Sanders asked for consent to explain her vote. Consent was given. Councillor Sanders said that her vote was not a reflection of the ERP, but rather with regard to concerns about the chosen vendor.

Proposal No. 168, 2010 was retitled FISCAL ORDINANCE NO. 14, 2010, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 14, 2010

A FISCAL ORDINANCE amending the City-County Annual Budget for 2010 (City-County Fiscal Ordinance No. 35, 2009) by appropriating Seven Million Nine Hundred Fifty Thousand Dollars (\$7,950,000) in the Information Services Internal Service Fund for purposes of the Information Services Agency.

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BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(e) of the City-County Annual Budget for 2010 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency to fund the following: the purchase of software and implementation costs pertaining to the Enterprise Resource Planning (ERP) project, funded by a transfer of unencumbered, unappropriated fund balance from the Consolidated County Fund.

SECTION 2. The sum of Seven Million Nine Hundred Fifty Thousand Dollars (\$7,950,000) be, and the same appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4, where applicable.

SECTION 3. The following increased appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	7,950,000
4. Capital Outlay	0
TOTAL INCREASE	7,950,000

SECTION 4. The said increased appropriation is funded by a transfer of unencumbered, unappropriated fund balance from the Consolidated County Fund, which is hereby transferred into the following fund:

<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
7,950,000

SECTION 5. In accordance with section 151-64 of the Revised Code of the Consolidated City and County, the following fund balance information is provided (the balance shown is on a budgetary basis):

This ordinance transfers revenue in the amount of \$7,950,000 from the Consolidated County Fund. The 2010 projected ending fund balance for the Consolidated County Fund is approximately \$13,049,883, which includes the impact of this ordinance.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Vice President Pfisterer returned the gavel to President Vaughn.

PROPOSAL NO. 171, 2010. Councillor Hunter reported that the Public Safety and Criminal Justice Committee heard Proposal No. 171, 2010 on June 9, 2010. The proposal, sponsored by Councillors Pfisterer and Moriarty Adams, appropriates \$26,766 in the 2010 Budget of the Marion Superior Court (Federal and Local Grants Funds) to fund the purchase of supplies and computer equipment for JDAI project research assistants, small furniture items for the Juvenile Reception Center, and supplies and treatment services for Community Court participants. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 7:45 p.m.

Larry Vaugh, citizen, stated that this is another grant that will simply hook kids on drugs and will not solve the problems of the juvenile center and is misleading the public.

President Vaughn stated that this funding is for juveniles who have committed low-level non-violent crimes, and provides alternative resources to monitor these offenders and help them receive education and substance abuse treatment instead of jail time. He said that this is not misleading to the public and the program has been wildly successful, reducing juvenile detention

and recidivism by over half. Councillor Brown agreed and said that this program helps steer young African American males into positive alternatives, and is very successful.

Councillor Malone stated that she served as a member on the Governor's task force on disproportionality, as well as serving on a mental health committee. She suggested Mr. Vaughn read the 87-page study produced by this task force, as many of these offenders have mental health needs, but are not being assessed, and therefore become a part of the criminal justice system for lack of alternatives. She said that she supports the proposal.

Councillor Oliver agreed that this program seems to be working and he supports passage of the proposal.

There being no further testimony, Councillor Hunter moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 171, 2010 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Rivera, Sanders, Scales, Speedy, Vaughn
0 NAYS:
2 ABSENT: Coleman, Minton McNeill

Proposal No. 171, 2010 was retitled FISCAL ORDINANCE NO. 15, 2010, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 2010

A FISCAL ORDINANCE amending the City-County Annual Budget for 2010 (City-County Fiscal Ordinance No. 35, 2009) by appropriating Thirteen Thousand Eight Hundred Sixty Dollars (\$13,860) in the Federal Grants Fund and Twelve Thousand Nine Hundred Six Dollars (\$12,906) in the Local Grants Fund for purposes of the Marion Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.06(f) of the City-County Annual Budget for 2010 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court to fund the following: the purchase of supplies and computer equipment that will be used by JDAI Project research assistants; the purchase of small furniture items for the Juvenile Reception Center; the purchase of supplies and the provision of treatments services for Community Court participants, financed by a transfer between characters in the Marion Superior Court's Federal Grants Fund appropriations and an additional appropriation in the Local Grants Fund.

SECTION 2. The sum of Twenty-Six Thousand Seven Hundred Sixty-Six Dollars (\$26,766) be, and the same appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4, where applicable.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	9,924
3. Other Services and Charges	0
4. Capital Outlay	<u>3,936</u>
TOTAL INCREASE	13,860

<u>MARION SUPERIOR COURT</u>	<u>LOCAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	2,836
3. Other Services and Charges	10,070
4. Capital Outlay	0
TOTAL INCREASE	12,906

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION SUPERIOR COURT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	13,860
4. Capital Outlay	0
TOTAL DECREASE	13,860

	<u>LOCAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Local Grants Fund	12,906
TOTAL	12,906

SECTION 5. No local match is required for any of the grants in this ordinance. There are no new FTEs associated with any of the grants in this ordinance.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 172, 2010. Councillor Hunter reported that the Public Safety and Criminal Justice Committee heard Proposal No. 172, 2010 on June 9, 2010. The proposal, sponsored by Councillor Moriarty Adams, appropriates \$21,000 in the 2010 Budget of the Marion County Sheriff's Department (Federal Grants Fund) to fund the salary of a grant program coordinator to organize and manage training efforts associated with the sex offender unit. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Nytes urged the Council to keep an eye on those full-time positions being funded with grant dollars, as she is very nervous about the future of such monies. She said that she hopes the administration is keeping track of such positions. Councillor Hunter said that this is a two-year grant, and they are seeking additional funding to keep this position, as it is desperately needed. President Vaughn added that this is a "train the trainer" type position, and once trained, individuals can be reassigned to other programs.

Councillor Sanders asked what the position pays. Councillor Hunter said that he does not know the full amount of the position salary, but there is \$21,000 included in this fiscal ordinance, and he assumes there are other sources in the Sheriff's budget. Andre Smith, financial analyst for the Marion County Sheriff's Department, stated that he does not know the exact salary off-hand, but he will get that information to Councillors.

The President called for public testimony at 7:56 p.m.

Larry Vaughn, citizen, stated that they need to think through funding a person's livelihood with grants, and there are always strings attached to federal dollars. He added that this program will have a disastrous effect on the social system and stigmatizes people.

Councillor Hunter said that this program was discussed at length in committee, and is endorsed by the Indiana Sheriff's Association. He said that all counties can access the information, and it is an important tool in the fight against crime, and if it stigmatizes sex offenders, so be it. He encouraged fellow members to support the proposal.

There being no further testimony, Councillor Hunter moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 172, 2010 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Rivera, Sanders, Scales, Speedy, Vaughn

1 NAY: Lutz

2 ABSENT: Coleman, Minton McNeill

Councillor Lutz asked for consent to explain his vote. Consent was given. Councillor Lutz said that he is not opposed to this position, but he personally feels the Sheriff's Department budget has swollen and these types of jobs should be funded through normal salary dollars.

Proposal No. 172, 2010 was retitled FISCAL ORDINANCE NO. 16, 2010, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 2010

A FISCAL ORDINANCE amending the City-County Annual Budget for 2010 (City-County Fiscal Ordinance No. 35, 2009) by appropriating Twenty-One Thousand Dollars (\$21,000) in the Federal Grants Fund for purposes of the Marion County Sheriff's Department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.07(b) of the City-County Annual Budget for 2010 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Sheriff's Department to fund the following: the salary of a Grant Program Coordinator for the Comprehensive Approaches to Sex Offender Management Training and Technical Assistance (CASOM) program, which is designed to organize and manage training efforts of the MCSD Sex Offender Unit, financed by the 2009 DOJ/OJP – SMART (Department of Justice/Office of Justice Programs – Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking Office) CASOM grant.

SECTION 2. The sum of Twenty-One Thousand Dollars (\$21,000) be, and the same appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4, where applicable.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY SHERIFF'S DEPARTMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	21,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
TOTAL INCREASE	21,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
Federal Grants Fund	21,000
TOTAL	21,000

SECTION 5. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and

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the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 71, 2010. Councillor Speedy reported that the Public Works Committee heard Proposal No. 71, 2010 on March 4 and June 17, 2010. The proposal, sponsored by Councillor Speedy, approves the issuance of one or more series of Indiana Waterworks District Net Revenue Bonds or notes in an aggregate principal amount not to exceed \$1.2 million to fund special main extension projects to serve unserved areas by funding through the State Revolving Loan Fund. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Speedy moved, seconded by Councillor Cockrum, for adoption. Proposal No. 71, 2010 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Rivera, Sanders, Scales, Speedy, Vaughn

1 NAY: Lutz

0 NOT VOTING:

2 ABSENT: Coleman, Minton McNeill

Proposal No. 71, 2010 was retitled GENERAL RESOLUTION NO. 13, 2010, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 13, 2010

A PROPOSAL FOR A GENERAL RESOLUTION approving the issuance of one or more series of City of Indianapolis, Indiana Waterworks District Net Revenue Bonds or Notes in an aggregate principal amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000) and other actions in respect thereto

WHEREAS, the Board of Directors of the Department of Waterworks ("Board") of the City of Indianapolis, Indiana ("City"), being the governing body of the Waterworks District of the City ("Waterworks District"), desires to undertake certain financial transactions for the purpose of procuring funds to apply to the costs of certain special water main extension projects specified in Exhibit A (the "Projects") and related costs; and

WHEREAS, IC § 36-3-5-8 requires the City-County Council of Indianapolis and of Marion County ("City-County Council") to approve the issuance of bonds or notes by any special taxing district of the City; and

WHEREAS, the Waterworks District is a special taxing district of the City pursuant to statute, but the Waterworks District does not intend to levy any property taxes in the Waterworks District; and

WHEREAS, the Waterworks District expects that, pursuant to IC § 13-18-21, and laws supplemental thereto, including IC § 4-4-11, the Indiana Finance Authority ("Authority") will make funds available to the Waterworks District for application on the costs of the Project in the form of a forgivable loan from the Indiana State Revolving Fund Program established thereunder (the "SRF Program") in an amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000), which loan will be evidenced by the Bonds (defined below) until such Bonds are forgiven as provided in a Financial Assistance Agreement to be entered into by the Waterworks District with the Authority; and

WHEREAS, the Board has adopted a supplemental bond resolution in substantially final form ("Bond Resolution"), authorizing the issuance of the revenue bonds or notes ("Bonds") of the Waterworks District, to be issued in one or more series, in the aggregate principal amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000) for the purposes of procuring funds to apply to the costs of the Projects and related costs; and

WHEREAS, the City-County Council has determined that the issuance of the Bonds is necessary and should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve the issuance of the Bonds of the Waterworks District, to be issued in one or more series, in an aggregate principal amount not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000) to procure funds for the Projects and related costs, payable solely from the revenues of the waterworks, on a parity or subordinate basis, as specified in the Bond Resolution, which is incorporated herein by reference and a copy of which shall be attached to the official copy of this resolution.

SECTION 2. This Resolution shall be in full force and effect upon adoption and compliance with IC § 36-3-4-14.

EXHIBIT A

The special water main extensions projects are to be implemented at the following locations:

Coburn Avenue
64th Street (Coburn to Grandview)
Hickory Lane, Lindenwood Drive, U.S. 31 and Meadow Vue Court

Councillor Hunter reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 127 and 152, 2010 on April 28 and June 9, 2010. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 127, 2010. The proposal, sponsored by Councillor Hunter, amends the Code to rename, as the division of homeland security, the emergency management planning division of the department of public safety, and to make other technical corrections. PROPOSAL NO. 152, 2010. The proposal, sponsored by Councillor Vaughn, approves a crime prevention initiative grant award in the amount of \$39,000 to Devington Community Development Corporation as recommended by the Crime Prevention Advisory Board and as approved by the Mayor. By 7-0 votes, the Committee reported Proposal No. 127, 2010 to the Council with the recommendation that it do pass as amended and Proposal No. 152, 2010 to the Council with the recommendation that it do pass.

Councillor Scales asked her colleagues to support this initiative, and stated that the Devington Community Development Corporation has been doing good work, and this will allow them to continue.

Councillor Hunter moved, seconded by Councillor Bateman, for adoption. Proposal No. 127, 2010, as amended, and Proposal No. 152, 2010 were adopted on the following roll call vote; viz:

27 YEAS: *Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Rivera, Sanders, Scales, Speedy, Vaughn*
0 NAYS:
2 ABSENT: *Coleman, Minton McNeill*

Proposal No. 127, 2010, as amended, was retitled GENERAL ORDINANCE NO. 26, 2010, and reads as follows:

June 28, 2010

CITY-COUNTY GENERAL ORDINANCE NO. 26, 2010

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to rename, as the division of homeland security, the emergency management planning division of the department of public safety, and to make other technical corrections.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 251-101 of the "Revised Code of the Consolidated City and County," regarding the powers of the department of public safety, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 251-101. Department of public safety created; duties.

(a) *Created.* There is hereby created a department of public safety for the consolidated city as provided by IC 36-3-5-4.

(b) *Duties.* It shall be the responsibility of the department of public safety to provide fire protection in the fire special service district, to provide police protection in the consolidated city, to operate an animal care and control division, to provide ~~civil defense and emergency management~~ homeland security planning, and to exercise other powers granted by law, the city-county council or the mayor. The department of public safety shall have all powers and duties prescribed for it as of August 31, 1983, subject to IC 36-3-4-23.

SECTION 2. Section 251-212 of the "Revised Code of the Consolidated City and County," regarding the powers and duties of the department of public safety director, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 251-212. Powers and duties of director.

The director of public safety shall have the following duties and powers with respect to the department of public safety:

- (1) To exercise control of all matters and property relating to and connected with the police, fire, ~~emergency management planning~~ homeland security, and animal care and control divisions;
- (2) To coordinate the activities of the department with the sheriff and coroner of the county and any other agencies that can help with the safeguarding of citizens and property throughout the county;
- (3) To purchase all necessary supplies and equipment and make all repairs necessary in the department subject to and in accordance with applicable law;
- (4) To make general and special rules and regulations for the government and discipline of the department, to the extent such duties and powers are not granted to the merit boards of the fire division or police division;
- (5) To fix the number of members and employees of the various divisions;
- (6) To determine and implement policies, procedures, methods and means by which operations are to be conducted;
- (7) To make recommendations to the director of administration relative to civilian employee compensation and benefits;
- (8) To temporarily appoint additional ~~emergency management and civil defense protection forces~~ personnel on application of any person or corporation in response to any emergency, riot or insurrection as declared by the mayor, which persons the director may remove at any time without hearing or notice or assigning any cause;
- (9) To administer the oath or to take depositions of any persons summoned in any proceedings;
- (10) To adopt rules regulating the giving of a bond of an appointee of any division;
- (11) To appoint deputy or assistant directors as necessary;

- (12) To set work schedules and require members and employees of the department to work overtime;
- (13) To initiate, prepare, submit and administer the department's budget in accordance with applicable law;
- (14) To purchase, rent or improve any real estate or personal property, subject to appropriations therefore by the city-county council and subject to the powers of the mayor and the board of public safety;
- (15) To enter into contracts with town or township firefighting companies or associations for mutual civil aid and assistance programs; ~~for~~, life-saving, firefighting, emergency services, ambulance services; ~~for~~, mutual communications services, coordinating training programs; and/or central dispatching programs in accordance with applicable law;
- (16) To appoint, receive, suspend, discipline and transfer members of the department pursuant to applicable rules, regulations and statutes;
- (17) To supervise and coordinate the activities of divisions within the department;
- (18) To oversee the daily operation of the department;
- (19) To appoint an administrator to be the head of each division of the department, ~~except the emergency management planning division~~, subject to the approval of the mayor as provided in IC 36-3-5-5;
- (20) To delegate to the personnel employed in the department authority to act in his or her behalf as provided in IC 36-3-5-5(c); and
- (21) Any other powers that may be granted by law or by the mayor or the city-county council.

SECTION 3. Section 251-221 of the "Revised Code of the Consolidated City and County," regarding the divisions of the department of public safety, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 251-221. Divisions.

The department of public safety shall be composed of the following divisions:

- (1) *Fire division.* The duties and powers of the fire division are described in Chapter 252 of this Code.
- (2) *Police division.* The duties and powers of the police division are described in Chapter 279 of this Code.
- (3) *Animal care and control division.* The animal care and control division shall be established and have all powers and duties described in Article III of this Chapter, Chapter 531, and any other powers granted by law or by the city-county council or the mayor.
- (4) ~~Emergency management planning division~~ Division of homeland security. The duties and powers of the ~~emergency management planning division~~ of homeland security are described in Article IV of this chapter.

SECTION 4. Section 251-231 of the "Revised Code of the Consolidated City and County," regarding the board of public safety, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 251-231. Board of public safety.

- (a) *Established.* There is hereby established a board of public safety pursuant to IC 36-3-5-6 and IC 36-3-4-23.
- (b) *Members.* The board shall be composed of five (5) members; the department director who serves as presiding member of the board; two (2) members appointed by the mayor and two (2) members appointed by the city-county council. Each appointed member shall serve a one-year term and until his

successor is appointed and qualified, but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.

(c) *Meetings.* The board shall hold regular meetings at least once a month, at times and places prescribed by its rules or established by resolution. No notice to members is required for holding or taking any action at a regular meeting. A special meeting of the board may be called by the presiding officer or by two-fifths of the members, at any place in the county designated in the call. Each member shall be notified of the time and place of such a meeting by written notice which must be delivered, mailed or sent by telegram so that each member has at least seventy-two (72) hours' notice of the meeting. The notice requirements may be waived as to a member if he attends the meeting or executes a written waiver of notice. The waiver may be executed either before or after the meeting, but if executed after, it must state in general terms the purpose of the meeting.

(d) *Board action.* A majority of all the members of the board constitutes a quorum. A majority vote of all the board members is required to pass a resolution.

(e) *Powers.* The board of public safety shall have the following powers:

- (1) To review all budgets prepared by the department and recommend to the director any revisions the board feels desirable;
- (2) To approve the award and amendment of contracts let by the department for the purchase or lease of capital equipment or other property where the contract is required to be bid under IC 36-1-9;
- (3) To approve the award and amendment of public construction contracts let by the department which are required to be bid under IC 36-1-12;
- (4) To approve the acquisition of and leases for real estate by the department;
- (5) To approve the employment of persons engaged by the department by contract to render professional or consulting services;
- (6) To approve the disposal of property by the department as specified in IC 36-1-11, excluding leases of real property, pursuant to IC 36-1-11, for the siting of cellular, digital personal communications systems, or other wireless communications systems towers and related equipment;
- (7) To make recommendations and suggestions to the director regarding the fiscal policy and management of the department and assist the director as he requests in the resolution of other issues and problems relating to departmental operations; and
- ~~(8) To act as the county civil defense advisory council pursuant to IC 10-4-1-10; and~~
- ~~(9)~~ Any other powers granted to the board by law or by the mayor or the city-county council.

SECTION 5. Article IV of the "Revised Code of the Consolidated City and County," regarding the emergency management planning division, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

**ARTICLE IV. ~~EMERGENCY MANAGEMENT PLANNING~~
OF HOMELAND SECURITY**

Sec. 251-401. Purpose.

Because of the substantial natural, technological, man-caused and national security hazards faced by Marion County and because of the need to establish a continuing program for preventing, preparing for, responding to and recovering from emergencies in an orderly way, this article sets forth a mechanism for emergency management planning. It is intended to supplement the Civil Defense Emergency Management and Disaster Law of 1975 (IC ~~40-4-1~~ 10-14-3-1 et seq.).

Sec. 251-402. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them in this section.

~~Civil defense shall mean activities associated with mitigating, preparing for, responding to and recovering from national security hazards associated with hostile military actions, except when specifically used in connection with programs of the Indiana Department of Civil Defense and Emergency Management or when referring to specific provisions of the Indiana Civil Defense and Disaster Law of 1975; in such instances the definition found in that law shall apply.~~

~~Coordination shall mean~~ means the establishment of effective communications linkages and other actions, both of a routine and emergency nature, necessary for the orderly development of the county emergency management program plan and for the response to and the recovery from emergencies.

~~Emergency shall mean~~ means occurrence or imminent threat of loss of life, illness or injury, damage to public property, private property or the environment resulting from any technological, man-caused, natural or national security hazard including, but not limited to, floods, earthquakes, severe wind, fires, storms, tornadoes, mass transportation accidents, releases of hazardous materials and substances, oil spills, explosions, droughts, riots, structural failure, public extortion, hostage taking, strikes by essential workers, attack, military action, infestations, epidemic, fuel or resource shortages.

~~Emergency management shall mean~~ means all measures associated with the prevention and mitigation of the effects of major emergencies, development of plans and preparedness for emergencies, response to the acute effects of emergencies and recovery from emergencies of all kinds.

~~Local disaster emergency~~ means a major emergency ~~which that~~ has resulted in a formal declaration of local state of emergency by the mayor.

~~Major emergency shall mean~~ means an emergency or threat of emergency ~~which that~~ causes loss of life, injury, illness or damage to public or private property or the environment to a degree greater than that which occurs on a regular basis in the county.

~~Man-caused hazards shall mean~~ means threats attributable to intentional disruptive actions by humans, including such episodes as riots, public extortion or strikes by essential workers.

~~Mitigation shall mean~~ means the prevention or the lessening of effects of emergencies when and where possible including the adoption of appropriate ordinances and regulations.

~~National security hazards shall include~~ means and includes threats attributable to acts or threat of acts by another government, including such episodes as accidental launch of a nuclear or conventional bomb, limited nuclear or conventional warfare, general nuclear or conventional warfare, or any peacetime emergency ~~which that~~ poses a serious threat to the national security.

~~Natural hazards shall mean~~ means threats attributable to forces of nature, including such episodes as floods, earthquakes, tornadoes or epidemics.

~~Preparedness shall mean~~ means all of the measures taken preparatory to emergency response and recovery actions including, but not limited to, the preparation and distribution of emergency management plans, training programs for citizens and emergency forces workers, and emergency information, warning and communications systems.

~~Recovery shall mean~~ means all actions necessary to restore life, limb, property and environment to a condition as nearly like that which prevailed prior to an emergency as possible.

~~Response shall mean~~ means all of the actions necessary to effectively respond to acute need for protection of life, limb, public property, private property and the environment during an emergency.

~~Technological hazards shall mean~~ means serious threats attributable to inventions or products of humankind, including such episodes as structural failures, mass transportation accidents, releases of hazardous materials, fires in multiple occupancy buildings.

Sec. 251-403. Duties, powers.

The ~~emergency management planning~~ division of homeland security shall:

- (1) Coordinate and direct the development of a ~~program of county~~ emergency management plan ~~for Marion County. Such program plan that~~ shall involve all sectors of government and the private sector; shall address all threats or emergencies from all hazards, including natural, technological, man-caused and national security hazards; and shall include mitigation, preparedness, response and recovery activities;
- (2) Prepare, disseminate and maintain in current status a county emergency management plan ~~which that~~ addresses in detail the response to and recovery from major emergencies occurring in Marion County. ~~This plan, and that shall be the sole emergency management plan for the county and shall be filed in the office of the Marion County clerk; No police or private organizations shall develop emergency operating or disaster plans or procedures which that~~ are in conflict with the county emergency management plan except where specifically authorized by ordinance, statute or federal law or regulation;
- (3) Designate and manage an emergency operations center to which senior government officials and chief coordinators designated in the county emergency management plan may respond to formulate and disseminate decisions regarding the management of a major emergency; the ~~emergency management planning~~ division of homeland security may also designate such auxiliary emergency operations centers as may be necessary;
- (4) Coordinate the development and execution of tests, drills and exercises of the county emergency management system plan or any of its parts;
- (5) Be responsible for monitoring hazardous conditions of any kind in the county, making recommendations to the director of public safety and the mayor concerning emergency measures and activating the county emergency management plan after the declaration of a local disaster emergency by the mayor and for coordinating response and recovery operations associated with a major emergency;
- (6) Serve as the ~~civil defense agency for Marion County~~ county emergency management organization for the purposes of IC 10-4-1-1 through IC 10-4-1-27 10-14-3 and ~~shall have all the powers and duties of a department of civil defense under such statutes; and~~
- (7) Be authorized to seek and apply for grants, contracts and other sources of funding necessary or in support of its duties from the federal government, state government and nongovernmental public and private sources.

~~Sec. 251-404. Board of public safety.~~

- ~~(a) The board of public safety shall exercise general supervision over the emergency management program of the county.~~
- ~~(b) The board of public safety shall act as the "county civil defense advisory council" for all of Marion County for the purposes of IC 10-4-1 and shall have and exercise all the powers, duties and obligations under the act.~~

Sec. 251-405 251-404. Administrator Chief; staff.

(a) The ~~emergency management planning~~ division of homeland security shall ~~have an administrator be under the direction of a chief, who shall be appointed by the board director of the department of public safety and shall serve at the pleasure of the presiding officer director. of the board. The administrator shall serve as the county civil defense and disaster director for the purposes of IC 10-4-1 and shall have all the powers and duties of a civil defense and disaster director pursuant to such statutes.~~

(b) The ~~administrator chief~~ shall be responsible for such paid and voluntary staff members as are necessary to fulfill the duties of the emergency management planning division of homeland security. Such staff members shall be subject to any merit system requirements necessary to participate in state and federal funding programs. The ~~emergency management planning~~ division of homeland security may organize such volunteer units, emergency reservist and others as may be necessary to fulfill its duties.

Sec. 251-406. Merit system.

The establishment of a merit system of personnel administration for all employees of the division of ~~emergency management planning of the department of public safety~~ homeland security to be serviced by the state personnel division is hereby authorized. The director of ~~emergency management planning the department of public safety~~ is authorized and directed to enter into such arrangements and agreements with the state department of ~~civil defense~~ homeland security and state personnel ~~division~~ department as may be necessary to provide for a continuing merit program of personnel administration for all ~~emergency management planning division of homeland security~~ employees. The merit program shall be serviced by the state personnel ~~division~~ department pursuant to the authority granted by ~~section 37, chapter 139, Acts of 1941, page 387 of the state personnel act~~ IC 4-15-2-36 and shall meet federal merit system standards of the U.S. Department of Defense, including the exemption of any position from the merit program as is recognized in these same federal standards. For the purposes of administering the merit program for all employees of the division, the director of ~~emergency management planning the department of public safety~~ is hereby considered and designated as the appointing officer.

Sec. 251-407. Emergency communications and warning.

(a) The ~~emergency management planning~~ division of homeland security shall coordinate the development of an emergency communications and warning system ~~which that~~ will allow for the dissemination of warning to potential responders and the general public, to effect the notification of appropriate response agencies and individuals and to distribute and receive information to and from potential emergency responders and the general public regarding an emergency condition.

(b) The division shall develop and maintain an integrated system for warning the public, which may include the deployment of public warning sirens, the development of voice radio systems, coordination of the mobilization of cable television systems, coordination of the county's participation in the emergency broadcast system, and any other appropriate systems ~~which that~~ may become available.

Sec. 251-408. Emergency powers and procedure.

(a) The mayor shall, via executive order, designate a line of successors to establish which government officials may act in his or her place whenever:

- (1) Under IC 36-3-3-3, the mayor is incapacitated and unable to make a designation and the president of the city-county council, as determined by the rules of succession established by the council, is incapacitated to the extent that he or she is unable to perform the duties as acting mayor; or
- (2) The office of mayor becomes vacant and the chief deputy mayor is unable to assume the duties of that office as provided in IC 3-13-11.

(b) The mayor may, upon declaring a local disaster emergency, take such actions as are appropriate to assure the public well-being, safety of public and private property and the environment including, but not limited to, the imposition of travel bans on streets and highways; the imposition of curfews; the alteration of normal business working hours; the ordering of evacuation and relocation of civilian populations; all as may be necessary to effect emergency response and recovery.

SECTION 6. Section 851-406 of the "Revised Code of the Consolidated City and County," regarding emergency use of cable television facilities, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 851-406. Emergency use of facilities.

(a) In the case if any disaster duly declared by the mayor or other official legally able to declare a disaster, the operator shall, upon request of the mayor, ~~director of public safety or director~~ chief of the city's ~~emergency management~~ division of homeland security, make available to the city for emergency use during the disaster period all facilities, as are necessary, for the term of such disaster.

(b) The system shall incorporate an emergency alert system that permits the city to override the audio portions of all signals on all channels ~~which that~~ the operator may lawfully override. The operator shall design the emergency alert system to permit the city to do the following:

- (1) Access and activate the emergency alert system using a touch-tone telephone and a special security code. The telephone can be connected to the emergency alert system via the local exchange company or a dedicated connection installed by the operator.

- (2) Replace audio on all channels with an emergency message that may be originated from a single location to be designated by the city using a telephone and character generator.
- (3) Play back a prerecorded message over the emergency alert system.

The operator's obligations under this section include the obligation to provide equipment for the system required to ensure the system works and complies with FCC regulations. The operator shall work with the city to develop a plan for the regular testing of the emergency alert system. However, it is the sole responsibility of the city to determine whether and under what circumstances the emergency alert system shall be used for county-wide alerts. City shall indemnify and hold operator harmless for any claim arising from the city's use of the emergency alert system.

SECTION 7. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 8. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 9. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Proposal No. 152, 2010 was retitled GENERAL RESOLUTION NO. 14, 2010, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 14, 2010

PROPOSAL FOR A GENERAL RESOLUTION to approve a crime prevention initiative grant award to Devington Community Development Corporation as recommended by the Crime Prevention Advisory Board and as approved by the Mayor.

WHEREAS, the Crime Prevention Advisory Board, having been advised by the Greater Indianapolis Progress Committee, approved certain funding recommendations on crime prevention initiatives and programs; and

WHEREAS, the Mayor reviewed the recommendations of the crime prevention advisory board, and approved the recommendations of community crime prevention grants, including a recommendation of Thirty-nine Thousand Dollars (\$39,000) to the Devington Community Development Corporation; and

WHEREAS, City-County General Resolution No. 6, 2010 does not approve the recommendation with respect to the Devington Community Development Corporation; and

WHEREAS, Section 283-605 of the "Revised Code of the Consolidated City and County" provides that the department of public safety shall prepare an appropriate resolution proposal for the council's approval; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Section 283-605 of the "Revised Code of the Consolidated City and County," the city-county council hereby approves the award of a community crime prevention grant to the Devington Community Development Corporation in the amount of Thirty-nine Thousand Dollars (\$39,000).

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 167, 2010. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 167, 2010 on June 8, 2010. The proposal, sponsored by Councillor Hunter, determines the need to lease approximately 18,209 square feet of space at 3910 Culligan Avenue for use by the Indianapolis Metropolitan Police Department. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Brown asked what division of IMPD is moving. Councillor Pfisterer said that the division using the Guardian Home at the moment is moving, because the Home will be used as a charter school. Councillor Hunter said that it is the investigations unit. Councillor Brown asked where this address is located. Councillor Hunter stated that it is located in Councillor Oliver's district.

Councillor Pfisterer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 167, 2010 was adopted on the following roll call vote; viz:

24 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Rivera, Scales, Speedy, Vaughn
3 NAYS: Evans, Mansfield, Sanders
2 ABSENT: Coleman, Minton McNeill

Proposal No. 167, 2010 was retitled SPECIAL RESOLUTION NO. 35, 2010, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 35, 2010

PROPOSAL FOR A SPECIAL RESOLUTION determining the need to lease approximately eighteen thousand, two hundred and nine (18,209) square feet of space at 3910 Culligan Avenue, Indianapolis, Indiana, for use by the Indianapolis Metropolitan Police Department.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to IC 36-1-10-7, has investigated the conditions requiring the subject lease and hereby determines that the lease of space for use by the Indianapolis Metropolitan Police Department, is needed.

SECTION 2. The property to be leased is located at 3910 Culligan Avenue, Indianapolis, Indiana. Such property is owned by Brookside Industrial Park, LLC. The following individuals or entities have 10% or greater equitable interest in Brookside Industrial Park, LLC:

Lynn B. Yardley
Michael P. Barton
Christopher P. Barton
Kathleen B. Allen
Tracy A Barton Ramirez
Gary S. Aletto

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 169, 2010. Councillor Cardwell reported that the Economic Development Committee heard Proposal No. 169, 2010 on June 23, 2010. The proposal, sponsored by Councillor Pfisterer, approves the statement of benefits of Praxair Surface Technologies, Inc., an applicant for tax abatement for property located in an economic revitalization area. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do

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pass. Councillor Cardwell moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 169, 2010 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Oliver, Pfisterer, Rivera, Sanders, Scales, Speedy, Vaughn

0 NAYS:

1 NOT VOTING: Nytes

2 ABSENT: Coleman, Minton McNeill

Proposal No. 169, 2010 was retitled GENERAL RESOLUTION NO. 15, 2010, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 15, 2010

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of Praxair Surface Technologies, Incorporated (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC § 36-7-15.1-26.

WHEREAS, IC § 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC § 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC § 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC § 6-1.1-12.1-2(l) (as amended, effective July 1, 2008), a statement of benefits for property located within an allocation area, as defined by IC § 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted Statements of Benefits to the MDC as part of their application for Economic Revitalization Area designation for property where Applicant's Projects will occur, located within an allocation area, as defined by IC § 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicant's Statements of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatements pursuant to IC § 6-1.1-12.1; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the Statements of Benefits that were submitted to the MDC, as part of the application for Economic Revitalization Area designation, by Praxair Surface Technologies, Incorporated.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 170, 2010. Councillor Hunter reported that the Public Safety and Criminal Justice Committee heard Proposal No. 170, 2010 on June 9, 2010. The proposal, sponsored by Councillor Hunter, approves the Office of Finance and Management's application for disbursement of funds from the Edward Byrne Memorial Justice Assistance Grant program. By a

7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Hunter moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 170, 2010 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Rivera, Sanders, Scales, Speedy, Vaughn
0 NAYS:
1 NOT VOTING: Pfisterer
2 ABSENT: Coleman, Minton McNeill

Proposal No. 170, 2010 was retitled GENERAL RESOLUTION NO. 16, 2010, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 16, 2010

PROPOSAL FOR A GENERAL RESOLUTION to authorize Indianapolis and Marion County to approve the Office of Finance and Management's application for disbursement of funds from the Edward Byrne Memorial Justice Assistance Grant Program ("Grant Program").

WHEREAS, the City-County Council is the governing body for the City of Indianapolis and Marion County pursuant to IC 36-3-4-19; and

WHEREAS, the Grant Program is authorized by 42 U.S.C. 3751(a); and

WHEREAS, the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance is the administrator of the Grant Program; and

WHEREAS, an application for disbursement of grant funds from the Grant Program must be made available for review by the governing body not fewer than thirty (30) days before it is submitted to the Bureau of Justice Assistance; and

WHEREAS, the grant application is attached hereto as Appendix A; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council has reviewed and hereby approves the attached grant application to be submitted to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 173, 2010. Councillor Speedy reported that the Public Works Committee heard Proposal No. 173, 2010 on June 17, 2010. The proposal, sponsored by Councillor Evans, authorizes a 4-way stop at the intersection of Noel Road and 79th Street (District 1). By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Speedy moved, seconded by Councillor Evans, for adoption. Proposal No. 173, 2010 was adopted on the following roll call vote; viz:

26 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Rivera, Sanders, Scales, Speedy, Vaughn
0 NAYS:
1 NOT VOTING: Pfisterer
2 ABSENT: Coleman, Minton McNeill

Proposal No. 173, 2010 was retitled GENERAL ORDINANCE NO. 27, 2010, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 27, 2010

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1	Noel Rd 79 th St	79 th St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
1	Noel Rd 79 th St	None	All-Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 153, 2010. Councillor Speedy reported that the Public Works Committee heard Proposal No. 153, 2010 on June 17, 2010. The proposal, sponsored by Councillors Gray, Nytes and Bateman, designates 22nd Street, from Capitol Avenue to Ralston Avenue, as the Bishop Morris E. Golder Memorial Way. By a 9-0 vote, the Committee amended and postponed the proposal. However, Councillor Gray feels the proposal is time-sensitive and asked that it be heard this evening. By vote of the Council, the agenda was amended to include the item for action.

Councillor Gray said that each member of the Council should have a resume in front of them. He asked for the Council's support and read the resolution.

Councillor Bateman stated that the Golders are friends of his family and have served the community well over the last 50 years.

Councillor Oliver thanked Councillor Gray for putting this information together, and said that it looks as though Bishop Golder contributed many things to the city of Indianapolis and the quality of life of its citizens. He urged Councillors to support the proposal.

Councillor Gray moved, seconded by Councillor Bateman, for adoption. Proposal No. 153, 2010 was adopted on the following roll call vote; viz:

27 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Freeman, Gray, Hunter, Lewis, Lutz, MahernB, MahernD, Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Oliver, Pfisterer, Rivera, Sanders, Scales, Speedy, Vaughn
0 NAYS:
2 ABSENT: Coleman, Minton McNeill

Proposal No. 153, 2010 was retitled SPECIAL RESOLUTION NO. 36, 2010, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 36, 2010

A SPECIAL RESOLUTION designating 22nd Street, from Capitol Avenue to Ralston Avenue, as the Bishop Morris E. Golder Memorial Way.

WHEREAS, in spite of his initial desire to be an orchestra conductor, God had other plans for the baby boy born to Earl and Margaret Golder on January 23, 1913; and

WHEREAS, a graduate of Crispus Attucks High School, Morris E. Golder left Indianapolis for 13 years to pastor the Bethesda Mission Church in St. Louis, Missouri, returning in February of 1948 to pastor the church where he was reared under Elder Robert F. Tobin, Christ Temple; and

WHEREAS, Elder Golder was able to complete his formal education when he returned to Indianapolis with a Bachelor of Arts Degree in Religion and Psychology, Bachelor of Divinity (Cum Laude) in Semitics, and a Master of Arts in Christian Doctrine from Butler University and Seminary and was invited to participate in a symposium on oneness Pentecostals at Harvard University. His concern for education spurred him into sharing his own financial resources to assist other individuals in the community in receiving a secondary education; and

WHEREAS, on November 22, 1953, Elder Golder began the Grace Apostolic Church, meeting first in the Rex Theater and mortuary of Mrs. Mildred Kirk as schedules allowed, then moving to the corner of 22nd and Broadway Streets, where a new building was erected on November 7, 1990, with a capacity to seat 2,200 people. He was also passionate and very supportive of foreign missions, with a church in Africa also named Grace Apostolic Church in his honor; and

WHEREAS, elevated to the bishopric by the Diocese of Kentucky and Middle Tennessee, Bishop Golder authored several doctrinal pamphlets and books, including *The Principles of our Doctrine, the Confession of Sins, Evangelism, The History of Pentecostal Assemblies of the World, The Life and Works of Bishop G.T. Haywood* and *Grace Gleanings*; and he preached for many years on local radio stations WIBC and WTLC; and

WHEREAS, affectionately known as “The Prince of Preachers,” Bishop Golder survived two spouses, Elizabeth Hall and Betty Beck, both co-laborers in ministry, and continued to serve the Grace Apostolic Church and the Indianapolis community with his surviving spouse, Sister Bobbie Golder, until the Lord took him home on Saturday, July 22, 2000; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council does hereby honor the memory of Bishop Morris Ellis Golder, longtime pastor of the Grace Apostolic Church and community activist who touched lives across racial, ethnic, financial, and social boundaries by designating 22nd Street, from Capitol Avenue to Ralston Avenue, as the Bishop Morris E. Golder Memorial Way.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Sanders stated that she had been asked to offer the following motion for adjournment by:

- (1) All Councillors in memory of Sgt. John Rankel and Dr. Lehman Adams, DDS; and
- (2) Councillor Lewis in memory of Father Lawrence Voelker; and
- (3) Councillor Nytes in memory of Andrew Shella and Daniel Quinn.

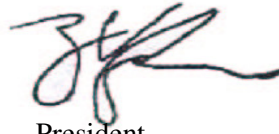
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Councillor Sanders moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Sgt. John Rankel, Dr. Lehman Adams, DDS, Father Lawrence Voelker, Andrew Shella and Daniel Quinn. She respectfully asked the support of fellow Councillors. She further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:26 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 28th day of June, 2010.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)

